

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KAREEM HASSAN MILLHOUSE,

Plaintiff,

v.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

:  
:  
:  
:  
:  
:  
:

CIVIL ACTION NO. 19-CV-5139

**ORDER**

FILED  
JAN 17 2020  
By                      Dep. Clerk

AND NOW, this 16<sup>th</sup> day of January, 2020, upon consideration of Plaintiff Kareem

Hassan Millhouse's Motion to Proceed *In Forma Pauperis* (ECF No. 7), Prisoner Trust Fund Account Statement (ECF No. 8), *pro se* Amended Complaint (ECF No. 6), Motion for Immediate Injunction (ECF No. 9), Motion to Proceed Under John Doe (ECF No. 10), and Motion for Emergency Injunction (ECF No. 11), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. Kareem Hassan Millhouse, # 59904-066, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Warden of United States Penitentiary Coleman I or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Millhouse's inmate account; or (b) the average monthly balance in Millhouse's inmate account for the six-month period immediately preceding the filing of this case. The Warden or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Millhouse's inmate trust fund account exceeds \$10.00, the Warden or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding

month's income credited to Millhouse's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

3. The Clerk of Court is directed to **SEND** a copy of this Order to the Warden of United States Penitentiary Coleman I.

4. The Amended Complaint is **DEEMED** filed.

5. The Clerk of Court is **DIRECTED** to **AMEND** the caption in this matter to reflect that the only Defendant named in the Amended Complaint is the United States of America. The Federal Bureau of Prisons shall be **DISMISSED** as a Defendant in this action.

6. The Complaint is **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction for the reasons stated in the Court's Memorandum.

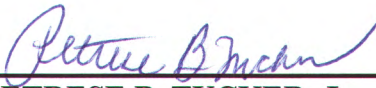
7. Millhouse may file a second amended complaint within thirty (30) days of the date of this Order. The amended complaint shall be a complete document that does not rely on the initial Complaint or the Amended Complaint or other papers filed in this case to state a claim. When drafting his second amended complaint, Millhouse should be mindful of the Court's reasons for dismissing the claims in his initial Complaint as explained in the Court's Memorandum and must clearly allege facts supporting the Court's exercise of jurisdiction over this matter. Upon the filing of a second amended complaint, the Clerk shall not make service until so **ORDERED** by the Court.

8. The Clerk of Court is **DIRECTED** to send Millhouse a blank copy of the Court's form complaint for a prisoner filing a civil rights action bearing the above civil action number. Millhouse may use this form to file his second amended complaint if he chooses to do so.

9. If Millhouse fails to file a second amended complaint in accordance with this Order, his case may be dismissed without further notice for failure to prosecute.

10. Millhouse's Motion for Immediate Injunction (ECF No. 9), Motion to Proceed Under John Doe (ECF No. 10), and Motion for Emergency Injunction (ECF No. 11) are **DENIED WITHOUT PREJUDICE.**

**BY THE COURT:**

  
\_\_\_\_\_  
**PETRESE B. TUCKER, J.**